

Message Text

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ACTION EB-07

INFO OCT-01 EUR-12 IO-11 ISO-00 AID-05 CEA-01 CIAE-00

COME-00 FRB-03 INR-07 NSAE-00 CIEP-01 SP-02 STR-04

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FM AMEMBASSY COPENHAGEN

TO SECSTATE WASHDC 2141

INFO USMISSION GENEVA

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E.O. 11652: N/A

TAGS: ETRD, EEC, EFTA, DA

SUBJECT: EC/EFTA RULES OF ORIGIN

REF: (A) STATE 004266, (B) COPENHAGEN A-119, JULY 11, 1974

1. KELLOGG'S A/S HAS INFORMED US THAT IT DID NOT USE ANY U.S. CORN IN ITS 1975 PRODUCTION OF CORN-FLAKES.

2. THE COMPANY STATES, HOWEVER, THAT U.S. PRICE CONDITIONS WERE SUCH DURING 1975 THAT IT COULD HAVE USED 4,000 TO 5,000 TONS. IT WAS PRECLUDED FROM DOING SO, BECAUSE NOT MEETING THE RULES OF ORIGIN CRITERIA, PRODUCT WOULD FACE A HIGH CUSTOMS DUTY IN SWEDEN AND NORWAY. THE INABILITY TO USE U.S. CORN IN ITS EXPORT PRODUCTION ALSO BLOCKED ITS USE IN PRODUCT CONSUMED DOMESTICALLY, BECAUSE THE COMPANY DOES NOT HAVE THE CAPABILITY OF SEGREGATING CORN OF DIFFERENT TYPES AND ORIGIN DURING PRODUCTION.

3. THE 4,000-5,000 TONS THAT KELLOGG'S A/S MIGHT HAVE PURCHASED FROM THE U.S. DURING 1975 IN THE ABSENCE OF R/O HAD AN ESTIMATED VALUE OF \$600,000

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TO \$700,000. THE U.S. CORN WOULD HAVE TAKEN THE

PLACE OF PART OF THE APPROXIMATELY 15,000 TONS OF ZEA INDURATA WHICH THE COMPANY PURCHASED FROM ARGENTINA AND SOUTH AFRICA LAST YEAR.

4. ACCORDING TO PARA 1 OF REFTTEL, WASHINGTON HAS HEARD INFORMALLY THAT THE DISCRIMINATION AGAINST U.S. CORN WAS REMOVED. NEITHER THE EMBASSY NOR KELLOGG IS AWARE OF ANY CHANGE. WE THINK THAT THERE MAY BE SOME CONFUSION WITH A CHANGE AFFECTING WHEAT USED IN BREAKFAST FOODS. ON JANUARY 1, 1974, THE ORIGIN CRITERIA RELATING TO BTN 19.05 WERE EXTENDED TO INCLUDE DURUM WHEAT TO SATISFY OTHER PRODUCERS OF BREAKFAST FOODS THAT ARE BEING EXPORTED TO EFTA COUNTRIES HAVING A SPECIAL TRADE AGREEMENT WITH THE EEC, PRIMARILY SWEDEN.

5. KELLOGG'S A/S OBSERVED THAT U.S. FLINT CORN CAN BE USED IN THE PRODUCTION OF ITS CORNFLAKES. THE COMPANY SUGGESTED THAT IF FLINT CORN IS AVAILABLE FOR EXPORT, IT COULD PERHAPS BE CLASSIFIED AS BEING OF THE SAME TYPE AS ZEA INDURATA, IN WHICH CASE IT WOULD QUALIFY UNDER THE RULES OF ORIGIN. THE DEPARTMENT IS REQUESTED TO INFORM US OF THE EXPORT AVAILABILITY OF FLINT CORN AND WHETHER IT COULD QUALIFY AS ZEA INDURATA.
DEAN

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Message Attributes

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